

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION**

CYNTHIA D. FRANKLIN,

Plaintiff,

v.

**JO ANNE B. BARNHART,
Commissioner of Social Security,**

Defendant.

CIVIL NO. 5:05CV246

ORDER

THIS MATTER is before the Court on Plaintiff's "Petition For Attorney's Fee and Costs" filed on August 24, 2005 (document #18). By Response filed on April 5, 2006, Defendant advises that the Commissioner will not oppose an award of legal fees in the amount of \$1,275.00 plus \$250.00 in filing fees, provided this is the only petition filed by Plaintiff in this case under 28 U.S.C. §2412(d).

NOW THEREFORE, IT IS ORDERED:

1. Plaintiff's "Petition For Attorney's Fees And Costs" (document #18) is **GRANTED**, that is, counsel for Plaintiff shall be paid the sum of \$1,525.00 (\$1,275.00 in legal fees plus \$250.00 in filing fees).

2. No additional petition pursuant to 28 U.S.C. §2412(d) shall be filed.

3. The Clerk is directed to serve copies of this order to counsel for the parties.

SO ORDERED.

Signed: April 5, 2006



Carl Horn, III
United States Magistrate Judge

